

AMENDED IN SENATE APRIL 9, 2012

**SENATE BILL**

**No. 1082**

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**Introduced by Senator Corbett**

February 14, 2012

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An act to amend Sections 6205.5, 6206, 6206.5, 6206.7, 6207, 6210, 6215.1, ~~and 6215.2, 6215.3, 6215.4, and 6215.5~~ of the Government Code, relating to the protection of victims.

LEGISLATIVE COUNSEL'S DIGEST

SB 1082, as amended, Corbett. Protection of victims: address confidentiality.

~~Existing law authorizes an adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person who is a victim of domestic violence, sexual assault, or stalking to complete an application in person at a community-based victims' assistance program to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Existing~~

*Existing law authorizes victims of domestic violence or stalking and reproductive health care providers, employees, volunteers, and patients, as defined, to complete an application to be approved by the Secretary of State for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Existing law requires applicants to be certified for 4 years following the date of filing unless the certification is withdrawn or*

invalidated before that date. Existing law requires the Secretary of State to establish a renewal procedure. Existing law authorizes the Secretary of State to cancel a program participant's certification and authorizes a program participant to withdraw from program participation, as specified.

This bill would require ~~the adult person, minor, or incapacitated person who is a victim of domestic violence, sexual assault, or stalking~~ *victims of domestic violence or stalking and reproductive health care providers, employees, and volunteers, as defined*, to be domiciled in California, as specified, *in order to apply for the program*. This bill would authorize a minor program participant, who reaches 18 years of age during his or her enrollment, to renew as an adult, as specified. *This bill would authorize the Secretary of State to refuse to renew a program participant's certification if the adult program participant or the parent or guardian acting on behalf of a minor or incapacitated person has abandoned his or her domicile in this state.* This bill would modify the Secretary of State's authority to terminate a program participant's certification, as specified. This bill would authorize the office of the Secretary of State to refuse to handle or forward packages for program participants, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6205.5 of the Government Code is
- 2 amended to read:
- 3 6205.5. Unless the context clearly requires otherwise, the
- 4 definitions in this section apply throughout this chapter.
- 5 (a) "Address" means a residential street address, school address,
- 6 or work address of an individual, as specified on the individual's
- 7 application to be a program participant under this chapter.
- 8 (b) "Domestic violence" means an act as defined in Section
- 9 6211 of the Family Code.
- 10 (c) "Domicile" means a place of habitation as defined in Section
- 11 349 of the Elections Code.
- 12 (d) "Program participant" means a person certified as a program
- 13 participant under Section 6206.

1 (e) “Sexual assault” means an act or attempt made punishable  
2 by Section 220, 261, 261.5, 262, 264.1, 266c, 269, 285, 286, 288,  
3 288.5, 288a, 289, or 647.6 of the Penal Code.

4 (f) “Stalking” means an act as defined in Section 646.9 of the  
5 Penal Code.

6 SEC. 2. Section 6206 of the Government Code is amended to  
7 read:

8 6206. (a) An adult person, a parent or guardian acting on behalf  
9 of a minor, or a guardian acting on behalf of an incapacitated  
10 person, who is domiciled in California, may apply to the Secretary  
11 of State to have an address designated by the Secretary of State  
12 serve as the person’s address or the address of the minor or  
13 incapacitated person. An application shall be completed in person  
14 at a community-based victims’ assistance program. The application  
15 process shall include a requirement that the applicant shall meet  
16 with a victims’ assistance counselor and receive orientation  
17 information about the program. The Secretary of State shall  
18 approve an application if it is filed in the manner and on the form  
19 prescribed by the Secretary of State and if it contains all of the  
20 following:

21 (1) A sworn statement by the applicant that the applicant has  
22 good reason to believe both of the following:

23 (A) That the applicant, or the minor or incapacitated person on  
24 whose behalf the application is made, is a victim of domestic  
25 violence, sexual assault, or stalking.

26 (B) That the applicant fears for his or her safety or his or her  
27 children’s safety, or the safety of the minor or incapacitated person  
28 on whose behalf the application is made.

29 (2) If the applicant alleges that the basis for the application is  
30 that the applicant, or the minor or incapacitated person on whose  
31 behalf the application is made, is a victim of domestic violence or  
32 sexual assault, the application may be accompanied by evidence  
33 including, but not limited to, any of the following:

34 (A) Police, court, or other government agency records or files.

35 (B) Documentation from a domestic violence or sexual assault  
36 program if the person is alleged to be a victim of domestic violence  
37 or sexual assault.

38 (C) Documentation from a legal, clerical, medical, or other  
39 professional from whom the applicant or person on whose behalf

1 the application is made has sought assistance in dealing with the  
2 alleged domestic violence or sexual assault.

3 (D) Any other evidence that supports the sworn statement, such  
4 as a statement from any other individual with knowledge of the  
5 circumstances that provides the basis for the claim, or physical  
6 evidence of the act or acts of domestic violence or sexual assault.

7 (3) If the applicant alleges that the basis for the application is  
8 that the applicant, or the minor or incapacitated person on whose  
9 behalf the application is made, is a victim of stalking, the  
10 application shall be accompanied by evidence including, but not  
11 limited to, any of the following:

12 (A) Police, court, or other government agency records or files.

13 (B) Legal, clerical, medical, or other professional from whom  
14 the applicant or person on whose behalf the application is made  
15 has sought assistance in dealing with the alleged stalking.

16 (C) Any other evidence that supports the sworn statement, such  
17 as a sworn statement from any other individual with knowledge  
18 of the circumstances that provide the basis for the claim, or physical  
19 evidence of the act or acts of stalking.

20 (4) A statement of whether there are any existing court orders  
21 involving the applicant for child support, child custody, or child  
22 visitation, and whether there are any active court actions involving  
23 the applicant for child support, child custody, or child visitation,  
24 the name and address of legal counsel of record, and the last known  
25 address of the other parent or parents involved in those court orders  
26 or court actions.

27 (5) A designation of the Secretary of State as agent for purposes  
28 of service of process and for the purpose of receipt of mail.

29 (A) Service on the Secretary of State of any summons, writ,  
30 notice, demand, or process shall be made by delivering to the  
31 address confidentiality program personnel of the office of the  
32 Secretary of State two copies of the summons, writ, notice, demand,  
33 or process.

34 (B) If a summons, writ, notice, demand, or process is served on  
35 the Secretary of State, the Secretary of State shall immediately  
36 cause a copy to be forwarded to the program participant at the  
37 address shown on the records of the address confidentiality  
38 program so that the summons, writ, notice, demand, or process is  
39 received by the program participant within three days of the  
40 Secretary of State's having received it.

1 (C) The Secretary of State shall keep a record of all summonses,  
2 writs, notices, demands, and processes served upon the Secretary  
3 of State under this section and shall record the time of that service  
4 and the Secretary of State's action.

5 (D) The office of the Secretary of State and any agent or person  
6 employed by the Secretary of State shall be held harmless from  
7 any liability in any action brought by any person injured or harmed  
8 as a result of the handling of first-class mail on behalf of program  
9 participants.

10 (6) The mailing address where the applicant can be contacted  
11 by the Secretary of State, and the phone number or numbers where  
12 the applicant can be called by the Secretary of State.

13 (7) The address or addresses that the applicant requests not be  
14 disclosed for the reason that disclosure will increase the risk of  
15 domestic violence, sexual assault, or stalking.

16 (8) The signature of the applicant and of any individual or  
17 representative of any office designated in writing under Section  
18 6208.5 who assisted in the preparation of the application, and the  
19 date on which the applicant signed the application.

20 (b) Applications shall be filed with the office of the Secretary  
21 of State.

22 (c) Upon filing a properly completed application, the Secretary  
23 of State shall certify the applicant as a program participant.  
24 Applicants shall be certified for four years following the date of  
25 filing unless the certification is withdrawn or invalidated before  
26 that date. The Secretary of State shall by rule establish a renewal  
27 procedure. A minor program participant, who reaches 18 years of  
28 age during his or her enrollment, may renew as an adult following  
29 the renewal procedures established by the Secretary of State.

30 (d) Upon certification, in any case where there are court orders  
31 or court actions identified in paragraph (4) of subdivision (a) and  
32 there is no other or superseding court order dictating the specific  
33 terms of communication between the parties, the Secretary of State  
34 shall, within 10 days, notify the other parent or parents of the  
35 address designated by the Secretary of State for the program  
36 participant and the designation of the Secretary of State as agent  
37 for purposes of service of process. The notice shall be given by  
38 mail, return receipt requested, postage prepaid, to the last known  
39 address of the other parent to be notified. A copy shall also be sent  
40 to that parent's counsel of record.

(e) A person who falsely attests in an application that disclosure of the applicant's address would endanger the applicant's safety or the safety of the applicant's children or the minor or incapacitated person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application, is guilty of a misdemeanor. A notice shall be printed in bold type and in a conspicuous location on the face of the application informing the applicant of the penalties under this subdivision.

SEC. 3. Section 6206.5 of the Government Code is amended to read:

6206.5. Upon termination of a program participant's certification, the Secretary of State shall retain records as follows:

(a) Except as provided in subdivision ~~(f)~~ (g) of Section 6206.7 or subdivision (c) of Section 6208, any records or documents pertaining to a program participant shall be held confidential for a period of three years after termination of certification.

(b) All records or documents pertaining to a program participant shall be retained for a period of three years after termination of certification and then destroyed, except for change of name records, which shall be retained permanently.

SEC. 4. Section 6206.7 of the Government Code is amended to read:

6206.7. (a) A program participant may withdraw from program participation by submitting to the Secretary of State written notification of withdrawal and his or her current identification card. Certification shall be terminated on the date of receipt of this notification.

(b) The Secretary of State may terminate a program participant's certification and invalidate his or her authorization card for any of the following reasons:

(1) The program participant's certification term has expired and certification renewal has not been completed.

(2) The Secretary of State has determined that false information was used in the application process to qualify as a program participant or that participation in the program is being used as a subterfuge to avoid detection of illegal or criminal activity or apprehension by law enforcement.

(3) The program participant no longer resides at the most recent residential address provided to the Secretary of State, and has not

1 provided at least seven days' prior notice in writing of a change  
2 in address.

3 (4) A service of process document or mail forwarded to the  
4 program participant by the Secretary of State is returned as  
5 nondeliverable.

6 (5) The program participant obtains a legal name change and  
7 fails to notify the Secretary of State within seven days.

8 ~~(6) The adult program participant or the parent or guardian~~  
9 ~~acting on behalf of a minor or incapacitated person has abandoned~~  
10 ~~his or her domicile in this state.~~

11 ~~(7)~~

12 (6) The program participant, who reaches 18 years of age during  
13 his or her certification term, has not renewed his or her certification  
14 within 60 days of him or her reaching 18 years of age.

15 *(c) The Secretary of State may refuse to renew a program*  
16 *participant's certification if the adult program participant or the*  
17 *parent or guardian acting on behalf of a minor or incapacitated*  
18 *person has abandoned his or her domicile in this state.*

19 ~~(e)~~

20 (d) If intended termination is based on any of the reasons under  
21 ~~subdivision~~ *subdivisions (b) and (c)*, the Secretary of State shall  
22 send written notification of the intended termination to the program  
23 participant. The program participant shall have 30 days in which  
24 to appeal the intended termination under procedures developed by  
25 the Secretary of State.

26 ~~(d)~~

27 (e) The Secretary of State shall notify in writing the county  
28 elections official and authorized personnel of the appropriate  
29 county clerk's office, county recording office, and department of  
30 health of the program participant's certification withdrawal,  
31 invalidation, expiration, or termination.

32 ~~(e)~~

33 (f) Upon receipt of this termination notification, authorized  
34 personnel shall transmit to the Secretary of State all appropriate  
35 administrative records pertaining to the program participant and  
36 the record transmitting agency is no longer responsible for  
37 maintaining the confidentiality of a terminated program  
38 participant's record.

39 ~~(f)~~

(g) Following termination of program participant certification as a result of paragraph (2) of subdivision (b), the Secretary of State may disclose information contained in the participant's application.

SEC. 5. Section 6207 of the Government Code is amended to read:

6207. (a) A program participant may request that state and local agencies use the address designated by the Secretary of State as his or her address. When creating a public record, state and local agencies shall accept the address designated by the Secretary of State as a program participant's substitute address, unless the Secretary of State has determined both of the following:

(1) The agency has a bona fide statutory or administrative requirement for the use of the address which would otherwise be confidential under this chapter.

(2) This address will be used only for those statutory and administrative purposes and shall not be publicly disseminated.

(b) A program participant may request that state and local agencies use the address designated by the Secretary of State as his or her address. When modifying or maintaining a public record, excluding the record of any birth, fetal death, death, or marriage registered under Division 102 (commencing with Section 102100) of the Health and Safety Code, state and local agencies shall accept the address designated by the Secretary of State as a program participant's substitute address, unless the Secretary of State has determined both of the following:

(1) The agency has a bona fide statutory or administrative requirement for the use of the address which would otherwise be confidential under this chapter.

(2) This address will be used only for those statutory and administrative purposes and shall not be publicly disseminated.

(c) A program participant may use the address designated by the Secretary of State as his or her work address.

(d) The office of the Secretary of State shall forward all first-class mail and all mail sent by a governmental agency to the appropriate program participants. The office of the Secretary of State may, in its discretion, refuse to handle or forward packages regardless of size or type of mailing.

(e) Notwithstanding subdivisions (a) and (b), program participants shall comply with the provisions specified in



subdivision (d) of Section 1808.21 of the Vehicle Code if requesting suppression of the records maintained by the Department of Motor Vehicles. Program participants shall also comply with all other provisions of the Vehicle Code relating to providing current address information to the department.

SEC. 6. Section 6210 of the Government Code is amended to read:

6210. Notwithstanding Section 7550.5, the Secretary of State shall submit to the Legislature, no later than January 10 of each year, a report that includes the total number of applications received for the program established by this chapter. The report shall disclose the number of program participants within each county and shall also describe any allegations of misuse relating to election purposes.

SEC. 7. *Section 6215.1 of the Government Code is amended to read:*

6215.1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(a) “Address” means a residential street address, school address, or work address of an individual, as specified on the individual’s application to be a program participant under this chapter.

(b) “Domicile” means a place of habitation as defined in Section 349 of the Elections Code.

~~(b)~~

(c) “Reproductive health care services” means health care services relating to the termination of a pregnancy in a reproductive health care services facility.

~~(e)~~

(d) “Reproductive health care services provider, employee, volunteer, or patient” means a person who obtains, provides, or assists, at the request of another person, in obtaining or providing reproductive health care services, or a person who owns or operates a reproductive health care services facility.

~~(d)~~

(e) “Reproductive health care services facility” includes a hospital, an office operated by a licensed physician and surgeon, a licensed clinic, or other licensed health care facility that provides reproductive health care services and includes only the building or structure in which the reproductive health care services are actually provided.

1     ~~SEC. 7.~~

2     SEC. 8. Section 6215.2 of the Government Code is amended  
3 to read:

4     6215.2. (a) An adult person, a parent or guardian acting on  
5 behalf of a minor, or a guardian acting on behalf of an incapacitated  
6 person, *who is domiciled in California*, may apply to the Secretary  
7 of State to have an address designated by the Secretary of State to  
8 serve as the person's address or the address of the minor or  
9 incapacitated person. An application shall be completed in person  
10 at a community-based assistance program designated by the  
11 Secretary of State. The application process shall include a  
12 requirement that the applicant shall meet with a counselor and  
13 receive orientation information about the program. The Secretary  
14 of State shall approve an application if it is filed in the manner and  
15 on the form prescribed by the Secretary of State and if it contains  
16 all of the following:

17     (1) If the applicant alleges that the basis for the application is  
18 that the applicant, or the minor or incapacitated person on whose  
19 behalf the application is made, is a reproductive health care service  
20 provider, employee, or volunteer who is fearful for his or her safety  
21 or the safety of his or her family because of his or her affiliation  
22 with a reproductive health care services facility, the application  
23 shall be accompanied by all of the following:

24     (A) Documentation showing that the individual is to commence  
25 employment or is currently employed as a provider or employee  
26 at a reproductive health care services facility or is volunteering at  
27 a reproductive health care services facility.

28     (B) A certified statement signed by a person authorized by the  
29 reproductive health care services facility stating that the facility  
30 or any of its providers, employees, volunteers, or patients is or was  
31 the target of threats or acts of violence within one year of the date  
32 of the application. A person who willfully certifies as true any  
33 material matter pursuant to this section which he or she knows to  
34 be false is guilty of a misdemeanor.

35     (C) A sworn statement that the applicant fears for his or her  
36 safety or the safety of his or her family, or the safety of the minor  
37 or incapacitated person on whose behalf the application is made  
38 due to his or her affiliation with the reproductive health care  
39 services facility providing the declaration described in  
40 subparagraph (B).

1 (2) If the applicant alleges that the basis for the application is  
2 that the applicant is a reproductive health care services facility  
3 volunteer, the application shall, in addition to the documents  
4 specified in paragraph (1), be accompanied by reproductive health  
5 care services facility documentation showing the length of time  
6 the volunteer has committed to working at the facility.

7 (3) If the applicant alleges that the basis of the application is  
8 that the applicant, or the minor or incapacitated person on whose  
9 behalf the application is made, is a person who is or has been the  
10 target of threats or acts of violence because he or she is obtaining  
11 or seeking to obtain services at a reproductive health care services  
12 facility within one year of the date of the application, the  
13 application shall be accompanied by the following:

14 (A) A sworn statement that the applicant has good reason to  
15 fear for his or her safety or the safety of his or her family.

16 (B) Any police, court, or other government agency records or  
17 files that show any complaints of the alleged threats or acts of  
18 violence.

19 (4) A designation of the Secretary of State as agent for purposes  
20 of service of process and for the purpose of receipt of mail.

21 (A) Service on the Secretary of State of any summons, writ,  
22 notice, demand, or process shall be made by delivering to the  
23 address confidentiality program personnel of the office of the  
24 Secretary of State two copies of the summons, writ, notice, demand,  
25 or process.

26 (B) If a summons, writ, notice, demand, or process is served on  
27 the Secretary of State, the Secretary of State shall immediately  
28 cause a copy to be forwarded to the program participant at the  
29 address shown on the records of the address confidentiality  
30 program so that the summons, writ, notice, demand, or process is  
31 received by the program participant within three days of the  
32 Secretary of State's having received it.

33 (C) The Secretary of State shall keep a record of all summonses,  
34 writs, notices, demands, and processes served upon the Secretary  
35 of State under this section and shall record the time of that service  
36 and the Secretary of State's action.

37 (D) The office of the Secretary of State and any agent or person  
38 employed by the Secretary of State shall be held harmless from  
39 any liability in any action brought by any person injured or harmed

1 as a result of the handling of first-class mail on behalf of program  
2 participants.

3 (5) The mailing address where the applicant can be contacted  
4 by the Secretary of State, and the telephone number or numbers  
5 where the applicant can be called by the Secretary of State.

6 (6) The address or addresses that the applicant requests not be  
7 disclosed for the reason that disclosure will increase the risk of  
8 acts of violence toward the applicant.

9 (7) The signature of the applicant and of any individual or  
10 representative of any office designated in writing who assisted in  
11 the preparation of the application, and the date on which the  
12 applicant signed the application.

13 (b) Applications shall be filed with the office of the Secretary  
14 of State.

15 (c) Applications submitted by a reproductive health care services  
16 facility, its providers, employees, or volunteers shall be  
17 accompanied by payment of a fee to be determined by the Secretary  
18 of State. This fee shall not exceed the actual costs of enrolling in  
19 the program. In addition, annual fees may also be assessed by the  
20 Secretary of State to defray the actual costs of maintaining this  
21 program. Annual fees assessed by the Secretary of State shall also  
22 be used to reimburse the General Fund for any amounts expended  
23 from that fund for the purposes of this chapter. No applicant who  
24 is a patient of a reproductive health care services facility shall be  
25 required to pay an application fee or the annual fee under this  
26 program.

27 (d) The Address Confidentiality for Reproductive Health Care  
28 Services Fund is hereby created in the General Fund. Upon  
29 appropriation by the Legislature, moneys in the fund are available  
30 for the administration of the program established pursuant to this  
31 chapter.

32 (e) Upon filing a properly completed application, the Secretary  
33 of State shall certify the applicant as a program participant.  
34 Applicants, with the exception of reproductive health care services  
35 facilities volunteers, shall be certified for four years following the  
36 date of filing unless the certification is withdrawn, or invalidated  
37 before that date. Reproductive health care services facility  
38 volunteers shall be certified until six months from the last date of  
39 volunteering with the facility. The Secretary of State shall by rule  
40 establish a renewal procedure. A minor program participant, who

reaches 18 years of age, may renew as an adult following the renewal procedures established by the Secretary of State.

(f) A person who falsely attests in an application that disclosure of the applicant's address would endanger the applicant's safety or the safety of the applicant's family or the minor or incapacitated person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application, is guilty of a misdemeanor. A notice shall be printed in bold type and in a conspicuous location on the face of the application informing the applicant of the penalties under this subdivision.

*SEC. 9. Section 6215.3 of the Government Code is amended to read:*

~~6215.3. (a) The Secretary of State may cancel a program participant's certification if there is a change in the residential address from the one listed on the application, unless the program participant provides the Secretary of State with at least seven days' prior notice of the change of address.~~

~~(b) The Secretary of State may cancel a program participant's certification if mail forwarded by the secretary to the program participant's address is returned as nondeliverable.~~

~~(c) The Secretary of State shall cancel certification of a program participant who applies using false information.~~

~~(d)~~

6215.3. (a) The Secretary of State shall cancel certification of a program participant who fails to disclose a change in employment status, or termination as a provider or volunteer.

(b) Upon termination of a program participant's certification, the Secretary of State shall retain records as follows:

(c)

(1) Except as provided in subdivision (f) (g) of Section 6215.4 or subdivision (c) of Section 6215.7, any records or documents pertaining to a program participant shall be held confidential.

(f)

(2) All records or documents pertaining to a program participant shall be retained for a period of three years after termination of certification and then destroyed without further notice.

*SEC. 10. Section 6215.4 of the Government Code is amended to read:*

6215.4. (a) A program participant may withdraw from program participation by submitting to the address confidentiality program

1 ~~manager~~ *Secretary of State* written notification of withdrawal and  
2 his or her current identification card. Certification shall be  
3 terminated on the date of receipt of this notification.

4 (b) ~~The address confidentiality program manager~~ *Secretary of*  
5 *State* may terminate a program participant's certification and  
6 invalidate his or her authorization card for any of the following  
7 reasons:

8 (1) The program participant's certification term has expired and  
9 certification renewal has not been completed.

10 (2) ~~The address confidentiality program manager~~ *Secretary of*  
11 *State* has determined that false information was used in the  
12 application process to qualify as a program participant or that  
13 participation in the program is being used as a subterfuge to avoid  
14 detection of illegal or criminal activity or apprehension by law  
15 enforcement.

16 (3) The program participant no longer resides at the residential  
17 address ~~listed on the application~~ *provided to the Secretary of State*,  
18 and has not provided at least seven days' prior notice in writing  
19 of a change in address.

20 (4) A service of process document or mail forwarded to the  
21 program participant by the ~~address confidentiality program~~  
22 ~~manager~~ *Secretary of State* is returned as nondeliverable.

23 (5) The program participant who is a provider, employee, or  
24 volunteer fails to disclose a change in employment, or termination  
25 as volunteer or provider.

26 (c) *The Secretary of State may refuse to renew a program*  
27 *participant's certification if the adult program participant or the*  
28 *parent or guardian acting on behalf of a minor or incapacitated*  
29 *person has abandoned his or her domicile in this state.*

30 ~~(e)~~

31 (d) If termination is a result of paragraph (1), (3), (4), or (5) of  
32 subdivision (b) *or subdivision (c)*, the address confidentiality  
33 program manager shall send written notification of the intended  
34 termination to the program participant. The program participant  
35 shall have five business days in which to appeal the termination  
36 under procedures developed by the Secretary of State.

37 ~~(d)~~

38 (e) The address confidentiality program manager shall notify  
39 in writing the county elections official and authorized personnel  
40 of the appropriate county clerk's office, and county recording

1 office of the program participant's certification withdrawal,  
2 invalidation, expiration, or termination.

3 (e)

4 (f) Upon receipt of this termination notification, authorized  
5 personnel shall transmit to the address confidentiality program  
6 manager all appropriate administrative records pertaining to the  
7 program participant and the record transmitting agency is no longer  
8 responsible for maintaining the confidentiality of a terminated  
9 program participant's record.

10 (f)

11 (g) Following termination of program participant certification  
12 as a result of paragraph (2) of subdivision (b), the ~~address~~  
13 ~~confidentiality program manager~~ *Secretary of State* may disclose  
14 information contained in the participant's application.

15 *SEC. 11. Section 6215.5 of the Government Code is amended*  
16 *to read:*

17 6215.5. (a) A program participant may request that state and  
18 local agencies use the address designated by the Secretary of State  
19 as his or her address. When creating a public record, state and local  
20 agencies shall accept the address designated by the Secretary of  
21 State as a program participant's substitute address, unless the  
22 Secretary of State has determined both of the following:

23 (1) The agency has a bona fide statutory or administrative  
24 requirement for the use of the address that would otherwise be  
25 confidential under this chapter.

26 (2) This address will be used only for those statutory and  
27 administrative purposes and shall not be publicly disseminated.

28 (b) A program participant may request that state and local  
29 agencies use the address designated by the Secretary of State as  
30 his or her address. When modifying or maintaining a public record,  
31 excluding the record of any birth, fetal death, death, or marriage  
32 registered under Division 102 (commencing with Section 102100)  
33 of the Health and Safety Code, state and local agencies shall accept  
34 the address designated by the Secretary of State as a program  
35 participant's substitute address, unless the Secretary of State has  
36 determined both of the following:

37 (1) The agency has a bona fide statutory or administrative  
38 requirement for the use of the address that would otherwise be  
39 confidential under this chapter.

1 (2) This address will be used only for those statutory and  
 2 administrative purposes and shall not be publicly disseminated.  
 3 (c) A program participant may use the address designated by  
 4 the Secretary of State as his or her work address.  
 5 (d) The office of the Secretary of State shall forward all  
 6 first-class mail and all mail sent by a governmental agency to the  
 7 appropriate program participants. The office of the Secretary of  
 8 State ~~shall not~~ *may, in its discretion, refuse to* handle or forward  
 9 packages regardless of size or type of mailing.  
 10 (e) Notwithstanding subdivision (a), program participants shall  
 11 comply with the provisions specified in subdivision (d) of Section  
 12 1808.21 of the Vehicle Code if requesting suppression of the  
 13 records maintained by the Department of Motor Vehicles. Program  
 14 participants shall also comply with all other provisions of the  
 15 Vehicle Code relating to providing current address information to  
 16 the department.

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 18  
 19 **CORRECTIONS:** \_\_\_\_\_  
 20 **Digest Text—Page 1.**  
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